

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

CHAMBERS OF  
J. FREDERICK MOTZ  
UNITED STATES DISTRICT JUDGE

101 WEST LOMBARD STREET  
BALTIMORE, MARYLAND 21201  
(410) 962-0782  
(410) 962-2698 FAX

December 23, 2003

Memo To Counsel Re: Nancy I. Cline, et al. v. Agape Harvester Church, Inc., et al.  
Civil No. JFM-03-529

Dear Counsel:

I have reviewed the memoranda submitted in connection with the motion for summary judgment filed by Agape Harvester Church, Inc., the motion for summary judgment filed by John James Christy, and the motion in limine to preclude testimony of defendant's expert witnesses filed by plaintiffs.

All of the motions are denied. There clearly is a dispute of material fact concerning the alleged contributory negligence of Glen Cline. Although the evidentiary record is extremely scanty, I also find that there is a genuine dispute of material fact concerning the alleged agency relationship between Mr. Christy and Agape Harvester Church. As for plaintiffs' motion in limine, I am not persuaded that on the existing record Mr. Manning's testimony should necessarily be excluded. Plaintiffs may, however, re-raise the issue at trial.

A scheduling conference will be held at 8:30 a.m. on January 22, 2004. Please bring your calendar with you to the conference. If any of you would prefer to hold the conference by conference call, please call my chambers to make the necessary arrangements.

The conference will be held in my chambers located in Room 510 on the fifth floor of the Courthouse.

Despite the informal nature of this ruling, it shall constitute an Order of Court, and the Clerk is directed to docket it accordingly.

Very truly yours,

/s/

J. Frederick Motz  
United States District Judge